IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 417/2006
(Shanker Lal Harijan and Others Vs. State of Rajasthan & Ors.)

Date of Order : 12/02/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. P.P.Choudhary, for the petitioners.
Mr. Rameshwar Dave, Dy. Govt. Advocate for respondent State.
Dr. Sachin Acharya for the respondents.

BY THE COURT:-

Learned counsel for the petitioners submits that the controversy involved in the instant writ petition is squarely covered by decision of this Court in Munnalal & Ors. Vs. State of Rajasthan and Anr. S.B.Civil Writ Petition No. 1629/1999 decided on 11th August, 2005. Counsel for the respondents agree to it and submit that the controversy stands concluded by the said decision and on identical facts the order terminating the services of the petitioners therein dated 16.4.1999 has been quashed and the petitioners therein have been declared entitled to be reinstated in service.

In view of the statement of learned counsel for the

parties, the writ petition is allowed in terms of the order of this Court in Munnalal & Ors. Vs. State of Rajasthan and Anr. S.B.Civil Writ Petition No. 1629/1999 decided on 11th August, 2005. The order of dismissal Annex.P-7 dated 25.11.2005 is quashed and the petitioners are declared entitled to be reinstated in service, however, they shall not be entitled for the back wages of the interregnum period as they have not worked with the respondents and they will be entitled for the wages from the date of their reinstatement. The respondents are directed to reinstate the petitioners within 15 days from the date of producing certified copy of this order. Stay petition also stands disposed of. No order as to costs.

(H.R.PANWAR),J.

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